IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.294 OF 2005
IN
WRIT PETITION NO.2876 OF 1991

LML Ltd. & Anr. .. Petitioners
V/s
M.K.Venkataraman, Assistant
Commissioner of Income Tax & Anr. .. Respondents.

Mr.S.V.Mehta i/by Malvi Ranchoddas & Co.for Petitioners.

CORAM: S.RADHAKRISHNAN &
J.H.BHATIA, JJ.

DATE : 01/07/2005.

P.C.:

1. Heard the learned Counsel for the Petitioners. None appears for the Respondents though served. Affidavit of service is taken on record.

2. By this Notice of Motion, the Petitioners are seeking to recall the order dated 14th June, 2005 whereby the petition was dismissed in default. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein sufficient cause is made out for recalling the order of dismissal of the Petition. There is no case of inaction, negligence or want of bonafide on the part of the Petitioners. Hence Notice of Motion is made absolute in terms of prayer clause (a).

3. Place the Writ Petition on board for final hearing on 18.7.2005.

(S.RADHAKRISHNAN J.)

(J.H.BHATIA J.)